

REMARKS

The Applicant does not believe that examination of this response will result in the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that this be entered and that the claims to the present application be, kindly, reconsidered.

The Office Action dated August 3, 2005 has been received and considered by the Applicant. Claims 1-20 are pending in the present application for invention. Claims 1-20 are rejected by the August 3, 2005 Office Action.

The Office Action rejects Claims 120 under the provisions of 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,539,354 issued to Sutton et al. (hereinafter referred to as Sutton et al.), in view of an Article Entitled "A Text Based Talking Face" by Rothkrantz et al. (hereinafter referred to as Rothkrantz et al.).

The Examiner states that Sutton et al. discloses a visual speech system including a text-to-animation system for generating a displayable animated face image that can reproduce facial movements corresponding to the received word strings and the received emoticon strings. The Applicant, respectfully, points out that there is no disclosure or suggestion within Sutton et al. for using emoticons to implement facial expressions. The Examiner in fact admits that Sutton et al. do not teach that facial animation is based on emoticon strings.

The Applicant, respectfully, points out that it is not possible for the system and method taught by Sutton et al. to use emoticon strings to create facial animations. Sutton et al. teach a visual and synthetic speech animation resulting in the generation of facial movements based upon the input of text at col. 20, lines 47-52. Sutton et al. teach visual synthetic speech as text to speech conversion process 1B (see col. 20, lines 47-56) The text to speech conversion process 1B is described beginning on col. 16, line 50 and proceeds through col. 17, line 17. The text to speech conversion process 1B uses visemes that are associated with phonemes. The Applicants, respectfully, assert that it is not possible to associate emoticons with phonemes. A phoneme is a sound that can be associated with normal text. Simply put emoticons do not contain phonemes, words contain phonemes. Emoticons do not break down into ordinary text and, therefore, they can not be converted into phonemes by the text to speech conversion process 1B of Sutton et al. There is no vehicle taught or suggested by Sutton et al. that make it possible to process emoticons.

The Examiner alleges that Rothkrantz et al. teach an animated 3D face that utilizes input text to generate facial movements, wherein the text input includes emoticons at pages 330-331, section 5; page 328, and Fig. 1. Section 5 of Rothkrantz et al., beginning on the bottom of page 330, states that emoticons can be attached to text and that software tools can transform the emoticons into corresponding picture/line drawings of facial expressions. Rothkrantz et al. then states that these symbols are used to generate 3D animated faces. The Applicant, respectfully, points out that the rejected claims define subject matter for a text-to-animation system for generating a displayable animated face image that can reproduce facial movements corresponding to received word strings and emoticon strings, wherein facial movements are performed corresponding to the received word strings using the displayable animated face image corresponding to the received emoticon strings. Rothkrantz et al. do not disclose or suggest using emoticon strings to create displayable animated face image that can reproduce facial movements.

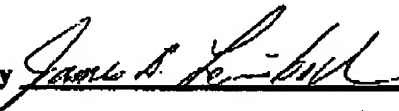
The Applicant, respectfully, points out that the teaching of Rothkrantz et al. pertain to automatic generation of emoticons that are perceived from the text used during chat sessions (see page 331, second paragraph). There is no disclosure or suggestion within Rothkrantz et al. for the animated faces to produce facial movements.

The Applicant respectfully points out that, as previously discussed, Sutton et al. is inoperative to produce facial movements in response to emoticons. Accordingly, the combination of Sutton et al. with Rothkrantz et al. is inoperative to produce facial movements in response to emoticons. There is no disclosure, or suggestion, within the cited references that allow for using "emoticon strings" as a basis from which to create facial expressions that is used as a basis to generate facial movements. The system of Sutton et al. does not provide any mechanism whereby facial movements can incorporate a facial expression from emoticon strings. Rothkrantz et al. do not concern themselves with facial movements. Accordingly, this combination does not result in the all the elements defined by the rejected claims and does not create a *prima facie* case of obviousness. Therefore, this rejection is traversed.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

James D. Leimbach
Patent Attorney Reg. No. 34,374

Please address all correspondence for this application to:
Michael E. Belk, Senior Intellectual Property Counsel
Philips Intellectual Property & Standards
Philips Electronics N.A. Corp.
P.O. Box 3001
Briarcliff Manor, NY 10510-8001 USA
(914) 333-9643,

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By:


James D. Leimbach